

The Institute of Chartered Accountants of India

(Set up by an Act of Parliament)



Bengaluru Branch (SIRC) e-Newsletter

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HAPPY
2025
NEW YEAR



JNANA PRAVARTANAM

Navigating this Journey with Compass of Knowledge



CPE MEETINGS

- Study Circle Meeting
Vivad se Vishwas Scheme
1st January 2025
- Half a Day Seminar on
AI & IT
Adopting Gen AI into Finance & IT Audit systems
8th January 2025
- Half a Day Seminar
15th January 2025
- Half a Day Seminar on
Direct & In-Direct Taxes
A discussion on considerations in Direct Tax and Indirect Taxes for valuation of related party transactions
22nd January 2025
- Certification Course on
AI for CA's
3rd to 5th January 2025
- Batch 118 - Certification Course on
AI for CA's - Level 1
9th to 11th January 2025
- Seminar on
Accounting Standards for Corporate and Non Corporate entities
18th January 2025
- Half a Day Seminar
Export incentives available under GST law, Customs Duty law and Foreign Trade Policy & Practical issues in e-waybill and detention of vehicles
29th January 2025



Dear Professional Colleagues,

Greetings for a New Year Full of Opportunities and Growth!

As we step into 2025, I extend my heartfelt wishes to you and your families for a year filled with success, health, and fulfillment. The beginning of a new year is always a time to reflect on our accomplishments and challenges, and to renew our commitment to the ideals of excellence and service that define our noble profession.

As I near the end of my term as Chairman of the Bangalore Branch, I feel a profound sense of gratitude and fulfillment. It has been an honor to serve this esteemed institution and contribute to its growth and success. The unwavering support and active participation of our Members have been a cornerstone of every achievement during this journey.

The past year has showcased the resilience, professionalism, and dedication of our Members. Your enthusiastic participation in the branch's various programs and initiatives has been instrumental in our collective success. To those who were unable to engage, I urge you to actively contribute in the upcoming events this year and play your part in strengthening our professional community.

I would like to remind all Members about the Branch Elections, scheduled for 25th January 2025. This is a vital moment for us to exercise our voting rights and elect leaders who will shape the vision and initiatives of the Bangalore Branch. I encourage every Member to participate wholeheartedly in this democratic process and strengthen the governance of our profession.

I would like to congratulate CA Madhukar Hiregange on being elected as the new Central Council Member. I also congratulate CA Pampanna BE on being elected alongside me as Regional Council Member. At the same time, our sincere gratitude to outgoing Central Council Member CA Cotha Srinivas for his support and contributions. I also extend my heartfelt thanks to the SIRC Chairperson, CA Geetha AB.

The World Forum of Accountants (WOFA) 2025 is on the horizon, and I strongly urge all Members to seize this unique opportunity to participate. This prestigious event brings together global thought leaders, innovators, and professionals to discuss emerging trends, share insights, and celebrate our shared commitment to excellence in accounting. It promises to be a transformative experience, and I encourage all of you to register at the earliest.

As I reflect on my time as Chairman, I am deeply appreciative of the collective efforts of our branch, which have strengthened our profession's impact and reputation. As we begin this promising new year, let us continue to strive for excellence, uphold ethical values, and make meaningful contributions to society.

Warm regards,

CA. Pramod R Hegde

Chairman

Bengaluru Branch (SIRC)

CALENDAR OF EVENTS
CPE MEETINGS FOR THE MONTH OF JANUARY 2025

DATE AND DAY	TOPIC / SPEAKER	TIME	STRUCTURED CPE CREDIT
01.01.2025 Wednesday	Study Circle Meeting Vivad se Vishwas Scheme Ms. Tanmayee Rajkumar, Advocate Delegate Fees: Members – Rs.200/- Plus GST	Dr. C. Ashwath Kala Bhavana, NR Colony, Basavangudi, Bengaluru 5.00 pm to 8.00 pm	2 hrs
03.01.2025 Friday to 05.01.2025 Sunday	Certification Course on AI for CA's Organized under the aegis of Digital Accounting and Assurance Board Hosted by : Bengaluru Branch (SIRC) For more details check www.bangaloreicai.org	S. Narayanan Auditorium ICAI Bhawan, Vasanthnagar, Bengaluru 10.00 am to 6.00 pm	18 hrs
08.01.2025 Wednesday	Half a Day Seminar on AI & IT Organized by : Bengaluru Branch (SIRC) Adopting Gen AI into Finance & IT Audit systems CA. Shreyas Kumar & CA. Jatin Suresh Bhatt Delegate Fees: Members – Rs.250/- Plus GST	S. Narayanan Auditorium ICAI Bhawan, Vasanthnagar, Bengaluru 5.00 pm to 8.00 pm	3 hrs
09.01.2025 Thursday to 11.01.2025 Saturday	Batch 118 - Certification Course on AI for CA's - Level 1 Organized under the aegis of Digital Accounting and Assurance Board Hosted by : Bengaluru Branch (SIRC) For more details check www.bangaloreicai.org	S. Narayanan Auditorium ICAI Bhawan, Vasanthnagar, Bengaluru 10.00 am to 6.00 pm	18 hrs
15.01.2025 Wednesday	Half a Day Seminar Organized by : Bengaluru Branch (SIRC) To be finalized Delegate Fees: Members – Rs.250/- Plus GST	S. Narayanan Auditorium ICAI Bhawan, Vasanthnagar, Bengaluru 5.00 pm to 8.00 pm	3 hrs



CALENDAR OF EVENTS CPE MEETINGS FOR THE MONTH OF JANUARY 2025

DATE AND DAY	TOPIC / SPEAKER	TIME	STRUCTURED CPE CREDIT
18.01.2025 Saturday	<p>Seminar on Accounting Standards for Corporate and Non Corporate entities</p> <p><i>Organized under the aegis of Accounting Standards Board</i></p> <p><i>Hosted by : Bengaluru Branch (SIRC)</i></p> <p><i>Details will be updated on the website</i></p>	Holiday Inn Racecourse 16/1, Seshadri Road, Gandhi Nagar Bengaluru – 560 009	
22.01.2025 Wednesday	<p>Half a Day Seminar on Direct & In-Direct Taxes</p> <p>A discussion on considerations in Direct Tax and Indirect Taxes for valuation of related party transactions</p> <p>CA Badrinath NR & Adv. Bharath Lakshminarayana</p> <p>Delegate Fees: Members – Rs.250/- Plus GST</p>	S. Narayanan Auditorium ICAI Bhawan, Vasanthnagar, Bengaluru 5.00 pm to 8.00 pm	3 hrs
29.01.2025 Wednesday	<p>Half a Day Seminar</p> <p><i>Organized by : Bengaluru Branch (SIRC)</i></p> <p>Export incentives available under GST law, Customs Duty law and Foreign Trade Policy & Practical issues in e-waybill and detention of vehicles</p> <p>CA. Pradeep Reddy & CA. Nithin Hebbar</p> <p>Delegate Fees: Members – Rs.250/- Plus GST</p>	S. Narayanan Auditorium ICAI Bhawan, Vasanthnagar, Bengaluru 5.00 pm to 8.00 pm	3 hrs

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Advt. material should reach us before 22nd of previous month.

EDITOR :
CA. PRAMOD R HEGDE

SUB EDITOR :
CA. KAVITHA PARAMESH

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**BENGALURU BRANCH OF THE SOUTHERN INDIA REGIONAL COUNCIL
THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA**

"ICAI Bhawan", No.16/O, Millers Tank Bed Area, Vasanth Nagar, BENGALURU – 560 052 India.

NOTICE CALLING FOR SPECIAL GENERAL MEETING OF MEMBERS OF THE BRANCH

No. 01/2025

Date : 01.01.2025

To,

All Members of BENGALURU Branch of SOUTHERN India Regional Council

Dear Member,

Sub: Notice for Special General Meeting of the Members of the Branch

This is to inform you that a Special General Meeting of the Members of the Bengaluru Branch of the Southern India Regional Council will be held from 8.00 AM to 6.30 PM on 25.01.2025 (i.e., the Saturday) in the premises of the Branch ("ICAI Bhawan", No.16/O, Millers Tank Bed Area, Vasanth Nagar, BENGALURU – 560 052 India) for electing **Nine** Members of its Managing Committee for the term 2025-2029. The important dates relating to the above elections are as given below.

Those Members, who are desirous of contesting for said election may submit their nomination form duly filled in and signed by the Candidate and by the Proposer and Secunder (both of whom shall be entitled to vote in the said Branch election) together with a (non-refundable) nomination fee of **Rs. 1000/-** by way of Demand Draft / Pay Order / Cheque drawn in favor of the "Bangalore Branch of SIRC of ICAI" and payable at BENGALURU.

The nomination form duly filled in and signed should be submitted in a sealed cover addressed to CA. Geetha A. B. & CA. Cotha S. Srinivas, Returning Officer / Polling Officer at the above address of the Branch against an acknowledgement. The blank nomination form can be had from the said Returning Officer or from the undersigned or from the Branch premises effective from 01.01.2025 till 6.00 PM of 15.01.2025, i.e. the last date of receipt of nominations. The said nomination form is also available on the website of the Branch (www.bangaloreicai.org).

IMPORTANT DATES

1.	Last Date of receipt of nominations (at least 10 days before the date of polling)	15.01.2025 before 6:00 PM
2.	Date of scrutiny of nominations (Within two days from last date of nominations)	16.01.2025
3.	Display of list of valid nominations on the Notice Board of the Branch (Date of scrutiny, i.e., date applicable for S.No. 2)	16.01.2025
4.	Last date for withdrawal of nominations (Two days from the date of display of valid list of nominations.)	18.01.2025 before 4:00 PM
5.	Display of final list of nominations (after withdrawals, if any) (Within one day of last date of withdrawal)	18.01.2025 before 6:00 PM
6.	Date of Election (if the nominations exceed more than the number of vacancies) (As per Schedule)	25.01.2025 Saturday from 8.00 AM to 06:30 PM
7.	Declaration of Result (As per Schedule)	On or before 30.01.2025

The election, if necessary, shall be held under the Single Transferable System of Voting.

Yours faithfully

Sd/-

Secretary of the Branch



FORM OF NOMINATION

FORM OF NOMINATION OF A CANDIDATE FOR ELECTION TO THE MANAGING COMMITTEE OF BENGALURU BRANCH OF SOUTHERN INDIA REGIONAL COUNCIL FOR THE TERM 2025 - 2029

We, the undersigned Members of the Institute of Chartered Accountants of India, belonging to the Bengaluru Branch of Southern India Regional Council, being qualified to vote in the election of members to the Managing Committee of the said Branch for the term 2025- 2029, do hereby nominate _____, who is a Member of the Institute belonging to the said Branch and is also eligible to vote in the said election, as a candidate for the election to the members of the Managing Committee to be held on 25-01-2025.

(1) Signature of Proposer _____
Name in full _____
(As published in the List of Voters)
Membership Number _____
Professional Address _____
Telephone No. _____
Email ID _____

Dated this _____ day of _____ 20_____.

(2) Signature of Seconder _____
Name in Full _____
(As published in the List of voters)
Membership Number _____
Professional Address _____

Dated this _____ day of _____ 20_____.

I, _____, being a Member of the Institute belonging to the _____ Branch not being in arrears on this day in respect of Annual Membership Fee for the current year and also being qualified to vote in the election of members to the Managing Committee of the said Branch for the term 2025 – 2029, agree to stand for the election to the said Managing Committee of the Branch to be held on _____ 20__.

I agree to abide by the provisions of the Election Code of Conduct applicable for Branch election and the Directions of the Central Council regarding Functions of the Branches of the Regional Councils and the Chartered Accountants Regulations, 1988.

I send herewith the fee for election of **Rs. 1000/- (Rupees One Thousand only)** by Demand Draft/Pay Order/Cheque No. _____ dated the _____ on _____ Bank drawn in favour of the Branch.

Signature of Candidate _____

Name in full
(As published in the List of voters) _____

Membership Number _____

Professional Address

Dated this _____ day of _____ 20_____.

VERIFICATION

I, _____, do hereby declare that the particulars given above are correct to the best of my knowledge and belief.

Place:

Date:

Signature of the Candidate



BENGALURU BRANCH OF SIRC OF THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

APPLICATION FORM FOR GRANT OF SCHOLARSHIP

To,

The Chairman

Bengaluru Branch of SIRC of ICAI

No. 16/O, Millers Tank Bed Area

Bengaluru – 560 052

Dear Sir,

I hereby apply for the grant of Merit-cum-Need Scholarship under the Bengaluru CA Students' Education Fund. I give below the relevant particulars for your consideration. I understand that the information contained herein forms the basis for the grant of the scholarship and that, if the information is found to be wrong, the scholarship may be withdrawn immediately without prejudice to the recovery of the amounts already advanced to me.

PARTICULARS

1. Name in full (CAPITAL LETTERS) _____
2. Registration No. _____
3. Date of Birth _____
4. Full Address
(a) Present _____

(b) Permanent _____

(c) Contact Number _____
5. (a) Father's/Guardian's Name in full _____
(b) Occupation (Service/Business/Other means of livelihood). Please furnish below the name of the organisation and designation of the post held, name of the firm and nature of business Carried on or other relevant particulars as may be applicable.

6. Total yearly income of parents/guardian _____
from all sources: (Enclose Income Certificate)
7. Particulars of passing the University Examination and/or Foundation/Intermediate Course Examination of the Institute.
- (i) Examination passed: _____
- (ii) Name of the University/Institution: _____
- (iii) Aggregate of marks secured in Degree Course: _____
- (iv) Percentage of marks: _____
- (Please enclose photocopies of marks sheets of I, II and III years/Foundation /Intermediate Examination).
8. (a) Name, Membership Number and address of the Chartered Accountant under whom the candidate is receiving training under the Chartered Accountants Regulations.
- _____
- _____
- (b) Date of Commencement of Articles: _____
- (c) Date of completion _____
- (d) Date of first eligible attempt for Exam _____
- (e) Students who are completed One year of Articleship at Bengaluru Branch jurisdiction is only eligible.**
9. Particulars of the Scholarship or financial assistance received from other sources:
- Name of the Institution _____
- Amount _____ Period _____
10. List of the documents attached.
- (i)
- (ii)
- (iii)

I hereby declare that the statements made by me in this application form are true to the best of my Knowledge and belief. I further agree to abide by the terms and conditions of the award if I am selected for the Scholarship applied for.

(Signature of the student)

Place : _____

Date: _____



(For students undergoing Articled Training)

Certified that Shri/Ms. _____ was admitted in our service as an articled/audit Assistant from _____ and that he/she would be completing the prescribed period of training under the Chartered Accountants Regulations on _____

(Signature of the Member)

Full Name: _____

Membership No: _____

Name of the Firm: _____

Address: _____

Date : _____

**BENGALURU BRANCH OF SIRC OF
THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA**

BENGALURU CA STUDENTS' EDUCATION FUND

ELIGIBILITY CRITERIA FOR GRANTING OF SCHOLARSHIP TO CA STUDENTS

- Students must be registered for articles in Bengaluru jurisdiction/Karnataka State.
- Only students undergoing Articleship at the Bengaluru Branch jurisdiction are eligible.
- Students who have previously availed scholarships from the Bengaluru Branch are NOT eligible.
- Students should preferably have passed Foundation/Intermediate in the first attempt.
- The annual income of parents should not exceed 1.50 Lakhs per annum.
- Meritorious students may be considered for relaxation, irrespective of their parents' income.
- Physically handicapped students will be given preference, regardless of their parents' income.
- The Scholarship Committee's decision is final in granting scholarships to students.
- Applications (in Hard copy) must be submitted in a sealed envelope to the Vasanthnagar Branch Office before 6 PM on 18th January 2025.

GST ON CORPORATE GUARANTEE

CA. Hanish S & CA. Manasa



Corporate Guarantee is a guarantee given by a Holding Company to a Bank/financial institution on behalf of their subsidiary company whereby the Holding Company undertakes to repay the loan in case of any default in repayment of loan by the Subsidiary Company. While it has been a common practice for a Holding Company to provide a Corporate Guarantee to the Financial Institutions, it has managed to draw a lot of attention due to the GST Demand Notices on the activity of issuing the Corporate Guarantee (CG).

Issue on taxability of Corporate Guarantee was also raised during the Service Tax regime. However, the Hon'ble Supreme Court in the case of "M/s Edelweiss Financial services" held that Corporate Guarantees are not taxable due to non-existence of any form of consideration. This argument does not hold good in GST due to Schedule I which provides for levy of GST on transactions between related parties even when there is no consideration.

Taking shelter under Schedule I, GST Authorities have been issuing notices to taxpayers demanding GST on corporate guarantees. The GST Authorities are of the view that it is a related party transaction that may be categorized as "Credit granting services" and therefore, the same shall be taxable under GST.

The GST Authorities have for the time being concluded the levy of GST merely based on HSN Classification and without answering the moot question – Does the activity of issuing Corporate Guarantee tantamounts to "supply" under GST Law? And if that were not enough, the GST Rules have been amended to provide for a valuation mechanism to quantify the tax that needs to be paid in case of issuance of Corporate Guarantee.

The taxpayers are now left with two options

- a. Challenge the demand on the ground that Corporate Guarantee does not qualify to be a supply

- b. Pay GST by considering the valuation mechanism prescribed under the GST Rules

Why Corporate Guarantee does not qualify to be a service?

1. Taxability under GST cannot be determined merely based on HSN Classification. That there is an underlying service needs to be demonstrated and this burden of proof is on the Department;
2. Corporate Guarantee by Holding Company is a Shareholder function and not a service rendered to the subsidiary
3. Interplay between Schedule I which provides for levy of GST on "Activities to be treated as supply even if made without consideration" and Section 2(102) of the CGST Act which defines services to include "activities relating to use of money for which separate consideration has been charged"
4. Recipient Test – Who is the recipient of the Corporate Guarantee Services? Is it not the Bank / Financial Institution which was able to lend the money based on the Guarantee received from the Holding Company. And since Bank is the recipient and it is not related to Holding Company, Schedule I cannot come into play at all
5. Circular 218/12/2024 – In case of loan between related parties, there can be no notional processing fee since no cost is incurred by the lender related party. Similar analogy can be drawn even in case of corporate guarantee

If a Taxpayer intends to discharge GST on Corporate Guarantee

While we continue to debate on whether CG is supply or not, Rule 28 (Valuation Rules) has been amended by

(Contd. on page 14) ►



GST AMNESTY SCHEME

CA. Annapurna D Kabra & CA. Saiprasad A



In continuation to our earlier Article with CA A Saiprasad on 'Recent Amendments under GST law' including amnesty scheme in month of November 2024 and with reference to further discussion on certain issues in the scheme... the author would like to add the further updates and analysis of GST Amnesty scheme.

Amnesty scheme is introduced with effect from 01.11.2024 by way of notifying section 128A, Rule 164 and issuing Circular 238/32/2024 with clarifications. Recently two advisories are issued dated Nov 8th, 2024 and 29th December 2024 clarifying that all the forms will be uploaded in the GSTN portal. Recently Form SPL-02 is activated for filing with the required steps in https://tutorial.gst.gov.in/downloads/news/help_document_on_filing_of_spl_02.pdf

The scheme is introduced by way of section 128A for the waiver of interest and penalties in the demand notices or orders issued for the financial year 2017-2018, 2018-2019 and 2019-2020. It excludes the appeals pertaining to erroneous refunds. For availing the benefit of scheme, tax should be paid in full on or before 31.3.2025. The Rule 164 is introduced to provide the guidelines and conditions for the waiver scheme.

The taxpayers are required to file an application in Form GST SPL-01 or Form GST SPL-02 on the common portal within three months from the specified date i.e. 31.3.2025. To avail the benefit, the taxpayers can make the payment as demanded in notice or statement or order issued under section 73 on or before 31.3.2025.

In case of demand orders, the tax can be paid through 'payment towards demand' and through DRC 03 in case of notices. If payment through DRC 03 is made against any order then it can be linked with DRC -03A which has already been activated in common portal.

Various notices/orders with different allegations are issued under section 73 of CGST Act 2017. The circular state that amnesty scheme has to be applied order wise and not in parts. The taxpayers are in confusion wherever the appeals are filed as the time of payment for the amnesty scheme is notified till 31.3.2025 and the appeals are pending for hearing. In few of the appeals filed, few issues can be litigated on merits and few issues may be applied for amnesty scheme during appeal hearings but there is no such mechanism to apply amnesty scheme issue wise. Therefore, the tax payers are confused as to opt for the scheme for complete order or to continue with the appellate proceedings.

In many instances, the appeals are not filed within the notified period with the presumption to apply for the amnesty scheme... but in many instances the recovery proceedings are initiated in case appeals are not filed within notified time.

The date of withdrawal is not notified though section 128A(3) states "...before the date notified". Even the withdrawal forms for withdrawing appeals/ writ petitions/ are not notified or there is no clarity on the aspect that whether withdrawal form under Rule 109-C can be applied. The taxpayers are not having clarity on the type of form to be used for withdrawing the appeal from Appellate Authority or from Courts.

The self-assessment taxes with interest under 75(12) is excluded from the scheme by way of circular without excluding specifically in section 128A. The following is the analysis of issue 4 in circular which has restricted the waiver of interest for delayed filing of returns or delayed reporting of supplies.

Clarification in the circular

Issue 4:

Whether the benefit provided under Section 128A will be applicable in cases, where the tax due has already been paid and the notice or demand orders under Section 73 only pertains to interest and/or penalty involved?

Clarification:

Where the tax due has already been paid and the notice or demand orders under Section 73 only pertains to interest and/or penalty involved, the same shall be considered for availing the benefit of section 128A. However, the benefit of waiver of interest and penalty shall not be applicable in the cases where the interest has been demanded on account of delayed filing of returns, or delayed reporting of any supply in the return, as such interest is related to demand of interest on self-assessed liability and does not pertain to any demand of tax dues and is directly recoverable under sub-section (12) of section 75

Section 75(12) of CGST Act 2017 state that Notwithstanding anything contained in section 73 or section 74 ²[or section 74A], where any amount of self-assessed tax in accordance with a return furnished under section 39 remains unpaid, either wholly or partly, or any amount of interest payable on such tax remains unpaid, the same shall be recovered under the provisions of section 79.

[Explanation.-For the purposes of this sub-section, the expression "self-assessed tax" shall include the tax payable in respect of details of outward supplies furnished under section 37, but not included in the return furnished under section 39.]

Section 128A (1) employs the term 'where any amount of tax is payable by a person chargeable with tax' The literal interpretation of section 128A(1) was that, it applies only to cases where any amount of tax has been demanded and notice is issued under section 73. The circular clarifies that benefit of Section 128A will apply to cases where notice has been issued only for interest/penalty in cases where tax due has already been paid. In other words, the circular has extended the scope of section 128A by extending the benefit in cases where notices are issued only for interest/penalty.

While extending the scope of Section 128A, it has restricted interest payable u/s 75(12). The following is the reference of section 75(12). Section 75(12)..... , 'or any amount of interest payable on such tax remains unpaid' The interest payable u/s 75(12) is towards self- assessed tax in accordance with return furnished u/s 39.

The reason for not extending the benefit of section 128A to interest on self- assessment tax is solely on the ground that said interest is recoverable directly u/s 79 and a notice u/s 73 is not issued. Thus, the condition of issue of notice u/s 73 is not satisfied with reference to interest referred to u/s 75(12). The **Honourable Division Bench of the High Court of Karnataka in UOI V. LC Infra Projects Pvt Ltd., 2021 (44) GSTL 60 (Kar)** held in para 16 that 'before recovery of interest payable u/s 50, a show cause notice is required to be issued to the assessee'. This decision has been accepted by the department.

With reference to demand of interest referred to u/s 75(12), the show cause notice is required to be issued u/s 73. The Notice should be issued only u/s 73 since self- assessed tax has already been filed u/s 39. Hence it is not a case of fraud, suppression or willful mis-statement falling u/s 74. In case notice is not issued then there is failure to follow the principle of natural justice as per the High Court. And amnesty circular excluding such taxpayer falling under section 75(12) for the omission on the part of the department to issue show cause notice is unfair and against the principle of natural Justice.

There was an explanation added in section 75(12) with effect from 28.3.2021 which read as 'For the purpose of this sub section, the expression 'Self-assessed tax' shall include the tax payable in respect of details of outward supplies furnished under section 37 but not included in the return furnished under section 39'... It can be analyzed that SCN is not required after the amendment in section 75(12) of CGST Act 2017. Even to recover interest under section 79, the interest has to be computed and the statutory mechanism to compute interest is not section 50, nor under section 75(12). The one school of thought is that the statutory recourse is to issue notice under section 73 of CGST Act 2017. They cannot bypass section 73 and recover under section 79 of CGST Act 2017. The right to reply under section 73(9)



cannot be taken away by initiating recovery without opportunity to reply against the levy of interest.

The taxpayer can also rely on '**Rajkamal Builder Infrastructure Pvt Ltd V. UOI, 2021 (50) GSTL 153 (Gujrath)**', wherein the question before the HC was whether department could have a direct recourse to Section 79 in S.75(12) cases. After extracting both the aforesaid provisions, the HC held that 'notice must be issued in Form DRC 07'. The other school of thought is that the notice ought to be issued in DRC 01 along with notice u/s 73 since court treating DRC 07 as 'recovery notice' is actually not a notice but an order which is treated as notice for recovery u/r 142(6).

The benefit of 128A can be availed by taxpayers who have omitted to file return under section 39 or who has failed to take registration or who has incorrectly filed the returns under section 39 either as short payment of tax or non-payment of tax. The benefit is denied to taxpayer who has filed returns and self-assessed his liability correctly but failed to pay interest. Therefore, the benefit is denied where show cause notice is not issued.

Without Show cause notice, the taxpayers cannot avail the amnesty benefit and the taxpayers who are issued show cause notice can avail the benefit under amnesty scheme... thus equals are treated unequally under GST law as 128A is made applicable in cases where notices are issued.

The interest remains as interest whether it is levied either under section 75(12) or section 73 and it is meant to be compensatory in nature for delayed payment of tax. Representation should be made before the Authority to give benefit even for interest for self-assessed tax under section 75(12). The other school of thoughts is 73 cannot apply for GSTR 1 Vs 3B. It has to be 75(12) since there is non-obstacle clause in 75(12) and tax and interest gets recovered in 75(12) and accordingly there is no SCN and hence there is no 73(11)

In addition to the above, there are various practical issues for the effective implementation of the amnesty scheme. Therefore, there should be further clarifications on certain aspects to bring uniform and smooth operation of the scheme.

GST ON CORPORATE GUARANTEE

◀ (Contd. from page 11)

adding sub-rule (2) to provide for valuation of Corporate Guarantee w.e.f October 26, 2023. As per the said Valuation Rule,

1. GST on Corporate Guarantee issued by Related Party needs to be discharged at the rate of 1% (or actual charges which ever is high) of the Corporate Guarantee granted (irrespective of the actual loan amount disbursed)
2. However, in case the recipient is entitled to full ITC of the GST charged on CG, then even NIL value is accepted
3. Where the CG is issued for more than 1 year (say 5 years), Circular 225/19/2024 clarifies that GST needs to be discharged on $1\% \times 5 \text{ years} = 5\%$ of the

CG Value. However, if the CG is issued for 1 year but renewed 5 times then GST needs to be discharged on 1% of the CG for 5 years

4. The aforementioned valuation rule is applicable only for CG issued on or after October 26, 2023

Even though it appears like the Government has tried to cover all the potential issues that may arise with respect to valuation mechanism, it appears that there are some questions left answered-

- a. If the Corporate Guarantee is issued prior to 26.10.2023, what is the valuation mechanism?
- b. How to value corporate guarantees entered prior to 26.10.2023 but renewed post the said date?
- c. And ofcourse, merely because Valuation Mechanism has been prescribed, can granting of CG be considered as Supply liable to tax.

Bengaluru Branch (SIRC)

Congratulations

CA FINAL RANK HOLDERS - NOVEMBER 2024 EXAMS

SI No.	Name	SRO NO	Roll No	Total Marks Obtained	CITY RANK
Citywise Toppers from Bengaluru					
1	HIMAANSHI V	SR00744962	611273	478	1
2	VINYAS N M	SR00733662	609399	465	2
3	SHREYAS U	SR00748668	610396	464	3
4	ADITYA BAJAJ	SR00732972	609394	458	4
5	AKSHATHA M V	SR00576226	611135	431	5
Citywise Toppers from Hosur					
1	PERIYANAN P R	SR00735093	639354	489	1
2	HARIHARAN V	SR00731563	639390	382	2
3	KUMARAN S	SR00735411	639372	374	3
4	SUPRAJA R	SR00732532	639388	308	4
5	PRAMODH N	SR00679141	639380	301	5

ICAI BENGALURU BRANCH LIST OF HOLIDAYS FOR THE YEAR - 2025

SL.NO	PERTICULARS	MONTHS & DATE	DAYS
1	MAKARA SANKRATI	JANUARY, 14	TUESDAY
2	MAHA SHIVARATHRI*	FEBRUARY, 26	WEDNESDAY
3	RAMZAN	MARCH, 31	MONDAY
4	Dr. AMBEDKAR JAYANTHI	APRIL, 14	MONDAY
5	GOOD FRIDAY	APRIL, 18	FRIDAY
6	MAY DAY	MAY, 1	THURSDAY
7	BAKRID	JUNE, 7	SATURDAY
8	INDEPENDENCE DAY	AUGUST, 15	FRIDAY
9	GANESH CHATURTHI	AUGUST, 27	WEDNESDAY
10	ID - MEELAD	SEPTEMBER, 5	FRIDAY
11	AYUDHA POOJA	OCTOBER, 1	WEDNESDAY
12	GANDHI JAYANTI / VIJAYADASHAMI	OCTOBER, 2	THURSDAY
13	NARAKA CHATURDASHI	OCTOBER, 20	MONDAY
14	BALIPADYAMI	OCTOBER, 22	WEDNESDAY
15	KANNADA RAJYOTSAVA DAY	NOVEMBER, 1	SATURDAY
16	KANAKADASA JAYANTI*	NOVEMBER, 8	SATURDAY
17	CHRISTMAS	DECEMBER, 25	THURSDAY

* RESTRICTED HOLIDAYS

**THE INSTITUTE OF
CHARTERED ACCOUNTANTS
OF INDIA**
(Set up by an Act of Parliament)
BENGALURU BRANCH (SIRC)



**ICAI BENGALURU BRANCH
IS ORGANISING COACHING
CLASSES FOR
CA FOUNDATION &
CA INTERMEDIATE STUDENTS**



CA Coaching Classes For New Syllabus

ADMISSIONS OPEN FOR SUBJECTWISE COACHING

In pursuance of our objective to provide fruitful and quality teaching to our students, we are pleased to inform you that **PHYSICAL** coaching classes for **CA FOUNDATION & CA INTERMEDIATE** students & will commence as follows

Why you Should Choose ICAI – Bengaluru Branch

Salient features

- Experienced, Expert and Dedicated faculty members
- Methodology – Concept Oriented Teaching
- Affordable Coaching Fee, Library Facility, Reading Room Facility
- Mock Tests, Revision Classes, Crash Course, Quiz Programme & Classroom presentations.
- The journey of CA student with bengaluru branch will be filled with Innumerable knowledge oriented activities coupled with motivational sessions & orientation classes, guided by our senior members, renowned faculty & resource persons to make student life productive and fruitful.
- It is a golden opportunity to be part of the bengaluru branch by enrolling as a student to become a prestigious member of this glorious profession.

**Online
Registration
Now open!**

Course	Fees	Starting Dates	Timings
CA Foundation	Rs. 14,000/- (Including Mock Test and Crash Course)	Starting from 23rd Jan 2025 for May/June 2025 Exams	04.30pm to 07.30pm (Monday to Saturday) 8.00am to 2.00pm (Sunday) (Evening batch)
CA Intermediate	Rs. 22,000/- for Both Groups Rs. 13,500/- for Single Group (Including Mock Test and Crash Course) Rs. 5000/- for Single Subject	Starting from March 6th, 2025 for September 2025 exams.	07.00am to 1.30pm (Monday to Sunday)

Registration Fees - Mode of payment: Cash / Online www.bangaloreicai.org

Email: blrstudentevents@icai.org | Website: www.bangaloreicai.org

Venue: ICAI Bhawan", 16/O, Miller's Tank, Bed Area, Vasanthanagar, Bengaluru -52

Please Note: 1) Fees once paid will not be refunded.

2) Tentative scheduled faculty may change due to non availability at that point of time.

3) In case of less registration, it may be changed or cancelled.

**For further details /Queries
Pls call 080 - 4394 4868 /4876
Mob: 9880007904**

Chairman

Secretary





JNANA
PRAVARTANAM
Navigating the journey with
compass of knowledge



THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA
(Set up by an Act of Parliament)
BENGALURU BRANCH (SIRC)

ANNOUNCEMENT

**ICAI BANGALORE BRANCH IS ORGANIZING MOCK TESTS FOR FOUNDATION
STUDENTS FOR THE JANUARY 2025 EXAMS.**

The schedule for the same are as follows:

Series - II

Date	CA. Foundation	Time
31.12.2024	Paper-1 : Accounting	10.30 AM – 1.30 PM
02.01.2025	Paper-2 : Business Law	
03.01.2025	Paper-3 : Quantitative Aptitude	10.30 AM – 12.30 PM
04.01.2025	Paper-4 : Business Economics	

Fee details	
All subject	Rs. 400/-
Single Subject	Rs. 100/-

Registration on first come first served basis. **NO SPOT REGISTRATIONS**

Registration Fees - Mode of payment: Cash / Online www.bangaloreicai.org

Email: blrstudentevents@icai.org | Website: www.bangaloreicai.org

For further details /Queries Pls call 080 - 4394 4868 /4876 Mob: 9880007904

Venue: ICAI BHAWAN, #16/O, Millers Tank Bed Area, Vasanth Nagar, Bangalore - 52.

CA. Pramod R Hegde
Chairman

Secretary

REGISTRATION OPEN FOR CA INTERMEDIATE COACHING CLASSES FOR MAY 2025 EXAMS - NEW SYLLABUS GROUP – II, Timings 07am to 1.30pm

Subject and dates	Faculty name
Paper-4: Cost and Management Accounting Dates: 06.02.2025 to 26.02.2025	CA. PUNITH KUMAR N 
	CA. NARENDRA KUMAR B 
Paper-6: Financial Management And Strategic Management Dates: 27.02.2025 to 13.03.2025	CA TRILOK CHANDRA 
	CA. RAKSHA KUTHNIKAR 
Paper-5: Auditing and Ethics Dates: 14.03.2025 to 28.03.2025	CA. VIKAS OSWAL 

Course	Fees	Timings
CA Intermediate	Rs. 22,000/- for Both Groups Rs. 13,500/- for Single Group (Including Mock Test and Crash Course) Rs. 5000/- for Single Subject	For Group - I 07.00am to 10.00am (Monday to Saturday) 8.00am to 2.00pm (Sunday) For Group – II 07am to 1.30pm (Monday to Sunday)

Registration Fees - Mode of payment: Cash / Online

www.bangaloreicai.org

Note: 1) Fees once paid will not be refunded.

For further details /Queries Pls call 080 - 4394 4868 /4876

Mob: 9880007904 Email: blrstudentevents@icai.org

Venue: Bengaluru Branch of SIRC of ICAI
 'ICAI BHAWAN' #, 16/O, Millers Tank Bed Area,
 Vasanth Nagar, Bangalore - 52.



Chairman

Secretary

23rd Batch Finance for Non Finance Executives Course



CA. Sameer Das



CA. Vivek Mallya



CA. T. N. Raghavendra



CA. Vishal Kumar S



CA. Juhul K Patel



CA. Udupi Vikram

Certificate Course on Sustainability and BRSR Physical Batch - 2



CA. Anand Prakash Jangid



CA. Anushri Garg

Certificate Course on UAE Corporate Tax 1st Physical Batch in India



CA. Sachin Sinha
New Delhi

Certification Course on AI for CA's



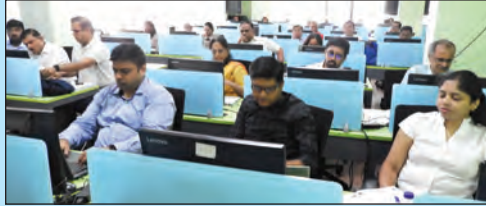
CA. Anand Prakash Jangid



CA. Dr. Durgesh Pandey



CA. Ramajayam
Chennai



Participants

Study Circle Meetings



CA. Anantharaman R



CA. K L Prashanth



CA. S. Sundaresan

CPE Programs at Tumkur



CA. Sujay K N



CA. Shivashankar



CS. Bharath L

Few Snapshots of Career Counselling Programs



Priyadarshini PU College - Koratagere



Government First Grade College - Kortegere



The Golden Gleams College - Chickbalpur



Government First Grade College - Tumkur



Sri Siddhartha First Grade College - Tumkur



Sri Raghvendra High School - Madhugiri



BGS Science and Commerce PU College - Channarayapatna

Two Days CPE Conference



CA. Pramod R Hegde
Chairman
Bengaluru Branch (SIRC)



CA. A. Jatin Christopher



CA. M. P. Vijay Kumar



CA. Dr. Girish Ahuja
New Delhi



CA. K. Gururaj Acharya



CA. Bharath Rao



CA. Gautam Pai
Ahmedabad



CA. Guruprasad M

One Day Seminar on Auditing Standards



CA. Niranjana Raman



CA. R. Rajesh



CA. S. Sundaresan



CA. Venkatesh C



CA. Mangala G Rao



CA. Mohan R Lavi



CA. Venkatesh Padiyar

One Day Seminar on Mergers and Acquisitions



CA. Rahul Arora



CA. Rajarama Pai



Mr. Jyotirmoy Bhattacharjee



CA. Aditya Narwekar



CA. Jaisri S

One Day Seminar on IND AS for NBFCs



CA. Venkata Subramani
Chennai



CA. Renju Mathew
Mumbai



CA. Giridharan
Chennai

SICASA - Mega Conference for CA Students - NAVAYUGA



Chief Guest
Shri. TC Meenakshisundaram
(Founder and Vice Chairman
of Chiratae Ventures)



Guest of Honor
Shri. KN Vasudeva Adiga
(Founder & Managing
Director of Paakashala
and Nandi Upachar)



Motivational Session by
Dr. B V Arathi



Session Chairman
CA. Annapurna Kabra



Session Chairman
CA. Chinmaya AM



Session Chairman
CA. Naveen



Session Chairman
CA. Prakash Hegde



Session Chairman
CA. Pramod Srihari



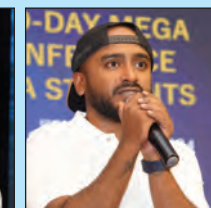
Shri. Jagadish Shukla



Special Session on AI
by CA. Amith Shenoy



Shri. Rutuparna Sharma



Special Guest
Shri. Raghu Gowda

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